

## REMARKS

Favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Claims 1-4, 9 and 30-32 are cancelled without prejudice.

Minor amendments are made to claims 10 and 15.

Claims 19, 20, 25 and 28 are amended to dependent upon claim 5.

It is submitted that the pending withdrawn claims are rejoinable and allowable upon allowance of claim 5.

The amended title is acceptable.

On page 3 of the Action, claims 1-10, 19, 25-27 are rejected under 35 USC 112, second paragraph, as being indefinite for the reasons set forth.

The rejection is respectfully traversed.

The definiteness of claim language is determined, not in a vacuum, but in light of the teachings of the specification and the knowledge in the art. Furthermore the patent applicant is entitled to be his or her own lexicographer. Thus even if the technical point raised by the Examiner is correct, it is respectfully submitted that the meaning of the claims is clear to a person of ordinary skill in the art.

Accordingly, reconsideration and withdrawal of this rejection is solicited.

Claims 1-19, 25-27, 33, 34 and 36-38 are provisionally rejected on the ground of obviousness-type double patenting as being unpatentable over claims of co-pending application Serial No. 11/997,786. The claims are further provisionally rejected on the ground of obviousness-type double patenting as being unpatentable over claims of co-pending application Serial No. 11/478,218. The claims are further rejected on the same ground as being unpatentable over claims of co-pending application Serial No. 10/524,281.

It is respectfully requested that these provisional grounds of rejection be held in abeyance. Upon overcoming all other grounds of rejection, it is respectfully submitted that these provisional grounds of rejection should be withdrawn. Furthermore, it is noted that Example 117B provides

evidence of increased potency over a close structural analog in co-pending application Serial No. 10/524,281.

On page 18, claims 1-10, 19, 25-27 are rejected under 35 USC 112, first paragraph, on the basis that the specification is enabling for certain compounds but does not provide enablement for the list of compounds bearing the list of substituents.

This ground of rejection is respectfully traversed.

It is respectfully submitted that one skilled in the art would be capable of practicing the claimed invention without undue experimentation, given the level of skill in the art and the detailed description of the invention set forth in the specification.

In view of the foregoing, it is believed that each ground of rejection set forth in the Official Action has been overcome, and that the application is now in condition for allowance. Accordingly, such allowance is solicited.

Respectfully submitted,

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